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SUBJECT: LESOTHO POLITICAL ROUNDUP

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¶1. The following is a selection of issues generating interest and debate in Lesotho's current political scene. Contents include:

- Status of talks on the allocation of parliamentary seats
- Alleged attacker in PM's assassination attempt dies
- Public reaction to the controversial Land Bill
- LCD succession in question
- Public Meetings and Processions Bill draws heavy criticism
- Preparations for local government elections
- Seminar on relations between Lesotho and South Africa
- Parliamentary business

Status of talks on the allocation of parliamentary seats

¶2. The political dialogue mediated by the Christian Council of Lesotho (CCL), aimed at resolving the dispute over allocation of proportional representation seats in parliament following the 2007 snap elections, is still at a deadlock (reftels). The multi-party negotiations were postponed indefinitely on August 19, as the opposition parties and the governing party had different views about the High Court Judgment on the 2007 Marematlou Freedom Party (MFP) vs. Independent Electoral Commission (IEC) case. Since then, the chief mediator, Bishop Phillip Mokuku of the Anglican Church, and his CCL and civil society colleagues have made extensive consultations with legal experts in the SADC region to interpret the implications of the afore-mentioned case. Well placed Embassy sources from civil society organizations involved in the mediation process indicated that the CCL mediation panel needs to overcome the hurdle of engaging legal experts in order to pave the way for talks to resume in earnest.

¶3. Meanwhile, the Executive Secretary of SADC Tomaz Salomao arrived in Lesotho on October 11 to review progress on the multi-party talks. He was supposed to be accompanying ministers of SADC Troika on Politics, Defense and Security Cooperation composed of Mozambique as chair, Swaziland and Zambia, but the ministerial visit was cancelled at the last minute. (Note: The Troika visit has been rescheduled for October 25-28. End note.) Opposition parties and the CCL mediation panel stated that they only knew of Salomao's visit on the morning of the day he arrived. Salomao met with opposition parties on October 12, but his surprise visit did not impress opposition leaders, who said they did not see any reason for SADC's involvement after their initial envoy Ketumile Masire failed to break the impasse three months ago. According to the Lesotho Times, opposition parties criticized SADC for being quick to intervene in recent disputes in countries like Madagascar, Zimbabwe and the DRC but dragging

its feet when it came to Lesotho. The newspaper further reported a statement released by opposition parties warning, "Unless urgent action is taken, Lesotho is going to move in the direction of a failed state."

Alleged attacker in PM's assassination attempt dies

¶4. Makotoko "Mashai" Lerotholi, a former military warrant officer who sought exile in South Africa following his alleged torture at the hands of the Lesotho Defense Force in the wake of the 2007 attacks on GOL ministers, is reported to have died in Pretoria on October 16. He was implicated as one of the ringleaders in the April 22 assassination attempt on the Prime Minister and had recently attended several hearings in South Africa related to Lesotho's request for his extradition. The cause of his death is unknown, but he was rumored to have been ill since before the assassination attempt.

Public reaction to the controversial Land Bill

¶5. The Land Bill of 2009 has come under strong criticism from various sectors including opposition parties, private citizens and civil society organizations. The controversy surrounding this bill has featured prominently on several opposition-oriented radio stations and in the print media for the past few weeks. The GOL requested assistance with drafting the bill as part of the Land Reform Activity within the Millennium Challenge Corporation (MCC) Compact. The Land Reform Activity was approved by MCC after a thorough due diligence process which included significant consultation with members of Lesotho's private sector. Opposition parties and civil society organizations argue that this bill is not acceptable as it is designed to take away the rights of poor Basotho over their land and give it to foreigners for investment purposes. Ordinary Basotho have also expressed concern about the bill during

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popular radio call-in programs, stating that MCC funds were given to Lesotho in order to exert pressure on GOL to pass the Land Bill so that big foreign businesses can buy land in Lesotho to the detriment of Basotho. Under the current Land Act of 1979 commercial entities with up to 49 percent foreign ownership can secure a maximum 99 year lease for land. The proposed Land Bill would allow foreign majority owned commercial entities to secure such leases. Land ownership would continue be held in trust by the King of Lesotho.

¶6. A member of Parliament from the main opposition party, the All Basotho Convention (ABC), has stated that opposition parties are united against this bill and they will propose a motion in parliament to withdraw the bill. If that fails, he stated that they will stage a walk-out in the National Assembly in protest. Some members of the public have suggested that the bill should be withdrawn and a referendum should take place on this important issue; several of Lesotho's newspapers have acknowledged that land reform is necessary, but that more consultation and compromise should take place to determine the appropriate way forward. The proposed bill was the product of two separate nation-wide commissions designed to study land issues and make recommendations for modernizing the land sector. These commissions took place in the early 1990s.

¶7. Comment: MCA-Lesotho has been active in educating opposition leaders and civil society groups about the provisions of the proposed law, which have been frequently misrepresented by civil society and opposition parties in the media. In addition, the GOL has committed to increasing its own public outreach around the Land Bill once a parliamentary period restricting them from publicly commenting on the bill has passed, anticipated within the next two weeks. Both MCA-Lesotho and the GOL plan to underscore in future public outreach that the current Land Bill was the product of internal demands from Basotho to modernizing the land market. End comment.

LCD succession in question

¶8. Rumors have been circulating in the press that Prime Minister Pakalitha Mosisili, who has held office since 1998 and is 64 years old, is planning to retire. The governing Lesotho Congress for Democracy (LCD) will hold a leadership conference later this month (date to be confirmed), and speculation is that Mosisili will use the occasion to announce his retirement plans.

These rumors have ignited a heated debate about who his successor as party leader will be. Two cabinet members, Minister of Natural Resources Monyane Moleleki and Minister of Communications Mothetjoa Metsing are rumored to be vying for Mosisili's position; the two have already begun attacking each other in public fora and in the press based on performance and the ability to lead the country.

Public Meetings and Processions Bill draws heavy criticism

¶9. The proposed bill on Public Meetings and Processions, which was presented in parliament in the last week of September, has come under fire from various sectors of society, including opposition parties, labor unions, civil society organizations, and private citizens. The bill stipulates that "any person who knowingly organizes or assists in organizing a public meeting or procession without permission shall be imprisoned for five years or pay a fine not exceeding M 10,000 (USD 1,300) or both." Current procedures require a police permit for any public procession; this new law would require authorization from the police (or local chief, in rural areas) for any public meeting or procession. Opposition parties have already stated that this law is meant to gag them. Prominent local human rights lawyer Haee Phoofole stated "this is the most draconian and diabolic piece of legislation" that he has ever seen in his life.

Preparations for local government elections

¶10. The IEC has begun a voter education campaign which will take place throughout the country in preparation for local government elections. According to the IEC Technical Advisor, the local government elections are scheduled to take place in April 2010. The writ of the elections is expected to be promulgated in January or February 2010.

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Seminar on relations between Lesotho and South Africa

¶11. On October 1, a new political movement calling themselves People to People Charter Movement (PPCM) organized a seminar at the offices of a local NGO to discuss Lesotho's relations with South Africa. Some participants' views that Lesotho should be incorporated into South Africa garnered significant attention in the media, but the bulk of the seminar was actually focused on calls for the GOL to negotiate better benefits for Lesotho nationals, such as free movement of labor like is practiced in EU countries. PPCM plans to hold more forums on this issue in the near future.

Parliamentary business

¶12. Parliament will close for Christmas holidays at the end of November. The Land Bill, the bill on Public Meetings and Processions, and the Education Bill of 2009, which has also come under fire, will keep both houses of Parliament busy over the next two months. The Education Bill, which will effectively make education compulsory from grade 1 up to grade 7, has been criticized for stipulating harsh penalties for parents who will fail to take their children to school and also for supporting corporal punishment in schools. Opposition parties and NGOs have publicly warned mass action to stop these controversial bills from being passed in both the National Assembly and the Senate.

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